

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

In re:

Margaret M Franklin
(SSN: XXX-XX-5165)

Debtor.

Hearing Date: March 19, 2015
Hearing Time: 12:45 pm
Hearing Location: Albany

Case No. 14-10916
Chapter 13

TRUSTEE'S MOTION TO EXPUNGE LATE FILED CLAIM

Pursuant to United States Bankruptcy Code Section 502 and Bankruptcy Rules 3002 and 3007 the undersigned Trustee hereby moves that an Order be entered by the Court disallowing the proof of claim filed by:

CREDITOR	CERASTES LLC
CLAIM AMOUNT	\$357.26
ACCT #::	9042
DATE CLAIM FILED	August 27, 2014

for the reason that the claim was not file within 90 days of the first date set for the meeting of creditors called May 27, 2014 pursunat to Bankruptcy Code Section 341 (a).

Objection, if any, to the above treatment must be in writing and filed in the office of the clerk at least 7 days prior to the date of the hearing. A copy of any objection must be served on the debtor, debtor's attorney, and the Trustee at least 7 days prior to the date of the hearing.

PURSUANT TO BANKRUPTCY RULE 9014 AND LOCAL RULE 9013-4, IF YOU INTEND TO OPPOSE THIS MOTION, YOU MUST SERVE ON THE CHAPTER 13 TRUSTEE, AND FILE WITH THE COURT OF THE BANKRUPTCY COURT, WRITTEN OPPOSITION TO THE MOTION NO LATER THAN SEVEN (7) DAYS PRIOR TO THE RETURN DATE OF THIS MOTION. IN THE EVENT NO WRITTEN OPPOSITION IS SERVED AND FILED, NO HEARING ON THE MOTION

WILL BE HELD BEFORE THE COURT ON THE RETURN DATE, AND THE COURT WILL
CONSIDER THE MOTION AS UNOPPOSED.

Motion is returnable March 19, 2015 at 12:45 pm to United States Bankruptcy Court, James T. Foley
Courthouse, 445 Broadway, Suite 306, Albany, NY 12207.

Date: February 13, 2015

/s/ Andrea E. Celli

Andrea E. Celli

Chapter 13 Standing Trustee

7 Southwoods Blvd.

Albany, NY 12211

(518) 449-2045

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK**

In Re:

Margaret M Franklin

Chapter 13

Case No.: 14-10916

AFFIDAVIT OF SERVICE

Debtor

KATIE ROBBINS, BEING DULY SWORN, DEPOSES AND SAYS: THAT SHE IS OVER THE AGE OF 18 YEARS; THAT SHE SERVED A COPY OF THE MOTION TO EXPUNGE LATE FILED CLAIM DATED FEBRUARY 13, 2015 ON THE FOLLOWING MANNERS: ON FEBRUARY 13, 2015.

VIA ELECTRONIC FILING:

GUY CRISCIONE, ESQ
817 MADISON AVE
ALBANY, NY 12208

Office of the United States Trustee
74 Chapel Street
Albany, NY 12207

CERASTES LLC
C/O WEINSTEIN, PINSON AND REILY PS
PO BOX 3978
SEATTLE, WA 98124

VIA REGULAR U.S. MAIL:

Margaret M Franklin
7 Dorlyn Road
Albany, NY 12205

DRUCKMAN LAW GROUP
265 POST AVE STE 260
WESTBURY, NY 11590

SWEENEY, GALLO, REICH & BOLZ
95-25 QUEENS BLVD #626
REGO PARK, NY 11374

ROSICKI ROSICKI & ASSOCIATES
51 EAST BETHPAGE ROAD
PLAINVIEW, NY 11803

BARCLAYS BANK DELAWARE
125 S WEST STREET
WILMINGTON, DE 19801
Attn: President

CERASTES LLC
C/O WEINSTEIN, PINSON AND REILY PS
PO BOX 3978
SEATTLE, WA 98124
Attn: President

CERASTES, LLC
C/O WEINSTEIN, PINSON AND REILY, PS
2001 WESTERN AVENUE, STE 400
SEATTLE, WA 98121
Attn: President

VIA CERTIFIED MAIL:

BY DEPOSTING A TRUE AND CORRECT COPY OF THE SAME PROPERLY ENCLOSED IN A POST-PAID WRAPPER IN THE OFFICIAL DEPOSITORY MAINTAINED AT 7 SOUTHWOODS PLAZA, ALBANY, NEW YORK DIRECTED TO SAID PERSON(S), AT SAID ADDRESSES.

/s/ KATIE ROBBINS

KATIE ROBBINS

Sworn before me this
13th day of February, 2015

/s/ Sandra Spring

Reg. # 4955344

Notary Public - State of NY

Qualified in Rensselaer County

My Commission Expires 08/28/2017